

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

THE NEW YORK TIMES COMPANY,

Plaintiff,

v.

FEDERAL BUREAU OF PRISONS,

Defendant.

20 Civ. 833 (PAE)

**STIPULATION AND ORDER
OF DISMISSAL OF
PLAINTIFF'S CLAIM FOR
ATTORNEYS' FEES AND
COSTS**

WHEREAS, on or about January 30, 2020, Plaintiff The New York Times Company (the "Times") filed this suit pursuant to the Freedom of Information Act, 5 U.S.C. § 552 ("FOIA");

WHEREAS, on August 3, 2021, pursuant to a stipulation between the parties, this Court dismissed this action with prejudice; provided, however, that the Court retained jurisdiction to adjudicate a request by Plaintiff for attorneys' fees and costs under 5 U.S.C. § 552(a)(4)(E);

WHEREAS, the parties wish to resolve Plaintiff's claim for attorney's fees and costs consensually without further litigation;

WHEREAS, IT IS HEREBY STIPULATED, AGREED, and ORDERED as follows:

1. After the Court has approved and docketed this Stipulation and Order, the Federal Bureau of Prisons ("BOP") shall pay to Plaintiff via electronic funds transfer the sum of FORTY-TWO THOUSAND DOLLARS (\$42,000) in attorneys' fees and litigation costs, pursuant to 5 U.S.C. § 552(a)(4)(E), which sum Plaintiff agrees to accept in complete satisfaction of any and all claims by Plaintiff for attorneys' fees, expenses, costs, interest, and

any other sums related to this litigation. Counsel for Plaintiff will provide the necessary information for BOP to effectuate payment. BOP will undertake its best efforts to pay the amount agreed to within 60 days after the Court has approved and docketed this Stipulation and Order.

2. Plaintiff's claim for attorneys' fees and litigation costs is dismissed with prejudice.

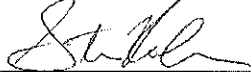
3. This Stipulation and Order shall not constitute an admission by BOP that Plaintiff is entitled to any attorneys' fees or litigation costs.

4. The parties agree that this Stipulation and Order is non-precedential with respect to any other proceeding against BOP, the United States, or any agency or instrumentality of the United States.

5. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, NY
September 20, 2021

AUDREY STRAUSS
United States Attorney for the Southern
District of New York



By: STEVEN J. KOCHÉVAR
Assistant United States Attorney
300 Quarropas Street
White Plains, New York 10601
Tel.: (914) 993-1928
Fax: (914) 993-1980
Email: steven.kochevar@usdoj.gov

Counsel for Defendant

THE NEW YORK TIMES COMPANY



ALEXANDRA SETTELMAYER
DAVID E. MCCRAW
The New York Times Company
620 8th Avenue, 13th Floor
New York, NY 10018
Tel: (212) 556-1234/4031
Fax: (212) 556-4634
Email: alexandra.settelmayer@nytimes.com
mccrad@nytimes.com

Counsel for Plaintiff

SO ORDERED:



HONORABLE PAUL A. ENGELMAYER
UNITED STATES DISTRICT JUDGE
9/22/21